

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Guntur District – Palaparru Village Pedanandipadu Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.2,57,332/- towards decretal charges in AS No.1210/99 in O.P No.16/85 – Orders- Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 286

Dated: 15.04.2013

Read the following

1. From the Dist Collector, Guntur, Lr.No.4167/2011-G1, dated 18.10.2011.
2. From the Commissioner of Social Welfare, Hyderabad Lr.No.LA4/9157/2011, dt.22.9.2012..
3. From the Spl CS & CCLA, A.P., Hyderabad Ref No.S2/827/2012, dated : 18.12.2012.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/Tahsildar, Chilakaluripet has acquired land measuring Ac 2.43 Cts in Sy. No.156/1 situated at Palaparru (V), Pedanandipadu (M), of Guntur District through an Award No.13/83, dated 15.11.1983, for provision of house sites to the weaker section people and the L A O/ Tahsildar, Chilakaluripet has fixed the land value @ Rs. 19,700/- per acre. Aggrieved by the fixation of market value the claimant had filed OP. No. 16/85 in respect of Ac 2.43 Cts in Sy. No 156/1 in Palaparru (V), Pedanandipadu (M), Guntur District U/s 18 of LA Act before Hon'ble Court of the Subordinate Judge. Bapatla. The Hon'ble Court in its orders dated 27.12.1996 has ordered as follows–

1. That the compensation fixed by the LAO at the rate of Rs. 19,700/- per acre be and hereby accepted.
2. That the Claimant be and hereby is entitled to Solatium at the rate of 30% on Rs. 47,871 instead of 15%.
3. That the Claimant be and hereby is entitled to interest at 9% p.a. from 10.8.82 to 09.8.1983.
4. That the Claimant be and hereby is entitled to interest at 15% on Rs. 47,871 from 10.8.83 till the payment.
5. That the interest already paid has to be excluded and
6. That the Government Pleader fee is as per rules.

Aggrieved by the order of the Subordinate Judge, Bapatla, the awardees preferred an appeal before Hon'ble High Court. The Hon'ble High Court in its order dated 08-9-2009 in AS. No 1210/99 while allowing the Appeal in part doth Order and Decree as follows :

1. That the Market Value of the acquired land is fixed to Rs. 35,000/- per acre as against Rs. 19,700/-.
2. That the claimants are entitled to additional Market Value @ 12% per annum and also 30% solatium on enhanced market value and 9% interest from date of taking possession i.e. 10.08.1982 for a period of one year on the enhanced compensation including 30% solatium and additional market value and thereafter at 15% per annum till realization.

The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the Government Pleader for appeals, High Court of AP in his Lr dated 8.08.2012, advised to comply the Hon'ble High Court Orders. The District Collector, Guntur has submitted proposals for sanction of Rs.2,57,335-65 towards payment of decretal charges in AS No.1210/99 in OP No.16/85 for the land acquired to an extent of Ac.2.43 Cts in Sy.No.156/1, situated at Palaparru Village, Pedanandipadu (M) of Guntur District, for the providing house sites to the weaker section people.

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2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, after verification and scrutiny of the proposals submitted by the District Collector, Guntur/Commissioner of Social Welfare, A.P., Hyderabad, has sent comparative calculation sheet for Rs.2,57,332/- towards payment of the decretal charges in AS No.1210/99 in O.P.No.16/85 for the lands acquired to an extent of Ac.2.43 Cts in Sy.No.156/1, situated at Palaparru Village, Pedanandipadu Mandal of Guntur District for provision of house sites to the weaker section people.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.2,57,332/- (Rupees two lakh fifty seven thousand three hundred and thirty two only) towards payment of the decretal charges in AS No.1210/99 in O.P.No.16/85 for the lands acquired to an extent of Ac.2.43 Cts in Sy.No.156/1, situated at Palaparru Village, Pedanandipadu Mandal of Guntur District for provision of house sites to the weaker section people.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Guntur to comply with the Court orders in AS No.1210/99 in O.P.No.16/85.

6. The District Collector, Guntur verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Guntur
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Guntur District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER